



NOTICE OF RULE MAKING – Proposed Rules #13-05

The Washington State Liquor Control Board would like your input on the attached proposed rules for **WAC 314-02-107 – What are the requirements for a spirits retail license?**

This notice contains the actual text of the proposed rule. You can provide input by submitting written comments or by participating in the public hearing (see below).

This rule making is filed with the Office of the Code Reviser in the Washington State Register number # 13-03-151.

This notice can be found at <http://www.liq.wa.gov/laws.asp> under Proposed Rules.

The Liquor Control Board encourages you to give input on this proposed rule. Following the comment period, the agency will hold at least one public hearing before the rule is adopted.

Public Comment

Please forward your initial comments to the Liquor Control Board by mail, e-mail, or fax by **February 27, 2013**.

By mail: Rules Coordinator
Liquor Control Board
P.O. Box 43080
Olympia, WA 98504-3080

By e-mail: rules@liq.wa.gov

By fax: 360-360-664-9689

Public Hearing: **February 27, 2013**
10:00 a.m.
Washington State Liquor Control Board – Board Room
3000 Pacific Ave. S.E, Olympia, WA

Proposed Rule

AMENDATORY SECTION (Amending WSR 12-12-065, filed 6/5/12, effective 7/6/12)

WAC 314-02-107 What are the requirements for a spirits retail license? (1) The requirements for a spirits retail license are as follows:

(a) Submit a signed acknowledgment form indicating the square footage of the premises. The premises must be at least ten thousand square feet of fully enclosed retail space within a single structure, including store rooms and other interior areas. This does not include any area encumbered by a lease or rental agreement (floor plans one-eighth inch to one foot scale may be required by the board); and

(b) Submit a signed acknowledgment form indicating the licensee has a security plan which addresses:

- (i) Inventory management;
- (ii) Employee training and supervision; and
- (iii) Physical security of spirits product with respect to preventing sales to underage or apparently intoxicated persons and theft of product.

(2) A grocery store licensee or a specialty shop licensee may add a spirits retail liquor license to their current license if they meet the requirements for the spirits retail license.

(3) The board may not deny a spirits retail license to qualified applicants where the premises is less than ten thousand square feet if:

(a) The application is for a former contract liquor store location;

(b) The application is for the holder of a former state liquor store operating rights sold at auction; or

(c) There is no spirits retail license holder in the trade area that the applicant proposes to serve; and

(i) The applicant meets the operational requirements in WAC 314-02-107 (1)(b); and

(ii) If a current liquor licensee, has not committed more than one public safety violation within the last three years.

(4) Spirit retail licensees must report to the board quarterly on a form provided by the board, spirits product loss due to theft and internal shrinkage.

[Statutory Authority: RCW 66.08.030, 66.24.055, 66.24.160, 66.24.630, and 66.24.640. 12-12-065, § 314-02-107, filed 6/5/12, effective 7/6/12.]